



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 17, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:00 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Iya G. Falcone, Roger L. Horton, Grant House, Helene Schneider, Das Williams (2:04 p.m.), Mayor Blum.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring March 16 - 21, 2009, As Teen Appreciation Week (120.04)

Speakers:

Staff: Recreation Supervisor Susan Young.

Action: Proclamation presented to Santa Barbara Youth Council Members Alex Huang, Evelyn Aldapa, Alicia Flores and Elly Iverson; Areli Barreto and Joe Sacks, representing City at Peace; Selena Rockwell, representing Fighting Back; Gabriella Rodriguez representing Future Leaders of America; and Marcus Lopez, representing Housing City Corp.

CHANGES TO THE AGENDA

Item Removed From Agenda

City Administrator James Armstrong stated that the following item will be continued to a later date.

11. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (170.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Administrator

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

Motion:

Councilmembers Williams/Schneider to continue Item No. 11 to a future date.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

PUBLIC COMMENT

Speakers: Ruth Wilson; Wayne Scoles; Kay Morter, General Manager, Holiday Inn Express; Tamara Erickson; Kenneth Loch; Lazarus; Frank Banales; Kate Smith; Richard Robinson; Alejandra Gutierrez.

CONSENT CALENDAR (Item Nos. 2 - 7)

The titles of the ordinance and resolution related to Item Nos. 3 and 4, respectively, were read.

Motion:

Councilmembers House/Schneider to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember Francisco).

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of February 24, 2009, and the special meeting of February 27, 2009.

Action: Approved the recommendation.

3. Subject: Introduction Of Ordinance For Lease Agreement With MAG Aviation Fuel For A Self-Service Fueling Operation (330.04)

Recommendation: That Council:

- A. Approve and authorize, contingent on approval of a zoning change, the Airport Director to execute a five-year Lease Agreement, with one five-year option, with MAG Aviation Fuel (MAG), a partnership, for operation of a self-service fueling operation at 1600 Cook Place, at the Santa Barbara Airport, for a monthly base rental of \$675 or \$0.05 per gallon fuel flowage fees, whichever is greater; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving, Contingent on Approval of a Zoning Change, a Five-Year Lease Agreement, With One Five-Year Option, With MAG Aviation Fuel, a Partnership, for Operation of a Self-Service Fueling Operation at 1600 Cook Place, at the Santa Barbara Airport Commencing Upon Construction of the Facility.

Action: Approved the recommendations (March 17, 2009, report from the Airport Director; proposed ordinance).

4. Subject: Resolution Authorizing Submission Of A Grant Application For Stimulus Funds For Wastewater (540.13)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Submit a Financial Assistance Grant Application to the State of California Water Resources Control Board for the Planning, Design, and Construction of FOG (Fats, Oils and Grease) and Food Waste Biofuel Conversion and Headworks Screening Projects at El Estero.

Action: Approved the recommendation; Resolution No. 09-013 (March 17, 2009, report from the Public Works Director; proposed resolution).

5. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 1900 Lasuen Road - El Encanto Hotel And Garden Villas (640.07)

Recommendation: That Council:

- A. Set the date of April 28, 2009, at 2:00 p.m. for hearing the appeal filed by Marc Chyttilo, Attorney representing Jan and Joanna von Yurt, Robert and Elizabeth Leslie, and Farrokh and Sally Nazerian of the Planning Commission approval of an application for property owned by Orient Express Hotels, Trains & Cruises and located at 1900 Lasuen Road,

(Cont'd)

5. (Cont'd)

- A. El Encanto Hotel and Garden Villas, Assessor's Parcel No. 019-170-022, R-2/4.0/R-H, Two Family Residential/4 Units per Acre/Resort-Residential Hotel Zones, General Plan Designation: Residential, 3 Units per Acre. The proposed project is a Revised Master Plan consisting of 1) a predominantly underground utility distribution facility and surface valet parking lot with operations facility below; 2) Mission Village, consisting of 5 cottages with valet parking garage below; 3) Cottages 27 and 28, which were previously approved and eliminated; and 4) a swimming pool with a fitness center below. The discretionary applications required for this project are various Modifications, Development Plan Approvals and a Transfer of Existing Development Rights; and
- B. Set the date of April 27, 2009, at 1:30 p.m. for a site visit to the property located at 1900 Lasuen Road.

Action: Approved the recommendations (February 23, 2009, letter of appeal).

6. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approval For 3455 Marina Drive (640.07)

Recommendation: That Council set the date of May 19, 2009, at 2:00 p.m. for hearing the appeal filed by Don Santee, Ronald Green, Michael Moore and Kitch Wilson, of the Single Family Design Board Final Approval with conditions of an application for property owned by the Silva Family Trust and located at 3455 Marina Drive, Assessor's Parcel No. 047-022-004, A-1/SD-3 Single Family Residence and Coastal Overlay Zones, General Plan Designation: Residential, 1 Unit per Acre. The proposed project involves construction of a one-story single-family residence including a three-car attached garage.

Action: Approved the recommendation (February 26, 2009, letter of appeal).

NOTICES

- 7. The City Clerk has on Thursday, March 12, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger L. Horton reported that the Committee met to continue discussion of the City's reserve policies and related recommendations of the Infrastructure Financing Task Force. The Committee will continue this discussion further before presenting this item to the full Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

8. Subject: Introduction Of Ordinances For Memorandum Of Understandings And Salary Plans For TAP Unit, Hourly Unit, Supervisors Unit, And Unrepresented Managers (Fiscal Year 2009 - Fiscal Year 2011) (440.02)

Recommendation: That Council:

- A. Ratify the Memorandum of Understanding between the City and the Service Employees' International Union, Local 620, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units, for the period of October 1, 2008, through September 30, 2010, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units);
- B. Ratify the Memorandum of Understanding between the City and the Service Employees' International Union, Local 620, Hourly Employees' Bargaining Unit, for the period of November 1, 2008, through December 31, 2010, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting a Memorandum of Understanding Between the City of Santa Barbara and the Hourly Employees' Bargaining Unit;
- C. Ratify the Memorandum of Understanding between the City and the Santa Barbara City Supervisory Employees' Bargaining Unit for the period of January 10, 2009, through January 9, 2011, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Supervisory Employees' Bargaining Unit (Supervisors' Unit); and
- D. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth and Approving a Salary Plan for Unrepresented Managers and Professional Attorneys for the period of July 1, 2008, through December 31, 2010, and a Salary Plan for Sworn Fire Managers and Unrepresented Sworn Police Managers for the period of July 1, 2008, through June 30, 2010.

Documents:

- March 17, 2009, report from the City Administrator.
- March 17, 2009, PowerPoint presentation prepared and made by Staff.
- Proposed Ordinances.

The titles of the Ordinances were read.

(Cont'd)

8. (Cont'd)

Speakers:

- Staff: Employee Relations Manager Kristine E. Schmidt.
- Members of the Public: Lanny Ebenstein, Santa Barbara County Taxpayers Association; Terry Tyler.

Motion:

Councilmembers Schneider/Williams to approve the recommendations.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

9. Subject: South Coast Gang Task Force Leadership Council - Designation Of City Council Representative (140.07)

Recommendation: That the Council designate the Mayor to be the City Council's representative on the Leadership Council of the South Coast Gang Task Force and the Mayor Pro Tempore as the alternate.

Documents:

March 17, 2009, report from the City Administrator.

Speakers:

Staff: City Special Projects Manager Don Olson, City Administrator James Armstrong.

Motion:

Councilmembers Falcone/Schneider to designate Mayor Blum as the City Council's representative on the Leadership Council of the South Coast Gang Task Force.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

Motion:

Councilmembers Schneider/Horton to designate Mayor Pro Tempore Francisco as the alternate.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

RECESS

Mayor Blum recessed the meeting at 3:16 p.m. in order for the Council to reconvene in closed session for Item No. 10, and stated that no reportable action is anticipated.

CLOSED SESSIONS

10. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6 to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the General employees' bargaining units regarding changes to salaries and benefits contained in the existing labor agreement.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

Documents:

March 17, 2009, report from the Assistant City Administrator.

Time:

3:20 p.m. - 4:40 p.m. Councilmember Francisco was absent.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 4:40 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

_____	ATTEST: _____
MARTY BLUM	BRENDA ALCAZAR, CMC
MAYOR	DEPUTY CITY CLERK